

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; that I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention or design entitled **SYSTEM AND METHOD OF USING RFID DEVICES TO ANALYZE CUSTOMER TRAFFIC PATTERNS IN ORDER TO IMPROVE A MERCHANT'S LAYOUT**, the specification and drawings for which are attached hereto. I have reviewed and understand the contents of the above-identified specification, including the claims; and I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37.C.F.R. § 1.56.

I do not know and do not believe that the invention was ever known or used in the United States of America before my or our invention thereof; I do not know and do not believe that the invention was ever patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application; and I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application;

The invention has not been patented or made the subject of any inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application; and

As to applications for patents or inventor's certificate on the invention filed in any country foreign to the United States of America, prior to this application by me or my legal representatives or assign, no such applications have been filed.

I hereby claim U.S. provisional application or foreign priority benefits under 35 U.S.C. § 119 of any U.S. provisional applications or any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Prior U.S. Provisional or Foreign Application(s) | | | | |
|--|---------|----------------------|------------------|----|
| | | | Priority Claimed | |
| Number | Country | Day/Month/Year Filed | Yes | No |
| | | | | |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Serial Number Date Filed Status

-----NONE-----

I hereby appoint:

Practitioners at Customer Number

05073

all of the firm of Baker Botts L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

Send Correspondence To:

Practitioner Customer Number above

Direct Telephone Calls To:

Jay B. Johnson at 214.953.6431

Attorney Docket No. 073897.0151

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor's Name:

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Signature of Inventor:

Daniel R. Swanson Sr.
Daniel R. Swanson Sr.
January 30, 2004

Date:

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